

Message Text

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71

ORIGIN EB-11

INFO OCT-01 IO-14 ISO-00 L-03 CIAE-00 COME-00 DODE-00

 DOTE-00 FMC-04 INR-10 NSAE-00 RSC-01 CG-00 COA-02

 DLOS-06 OIC-04 OMB-01 TAR-02 SPC-03 SWF-02 AGR-20

 AID-20 LAB-06 SIL-01 STR-08 TRSE-00 CIEP-02 CEA-02

 AF-10 ARA-16 EA-11 EUR-25 NEA-10 /195 R

DRAFTED BY EB/TT/MA:RBANK:EE

APPROVED BY EB/TT/MA:RBANK

EB/TT:JSMEADOWS

L/T:MR. BEVANS

EUR/CE:MR. GEORGE (INFO)

L/UNA:MR. SURENA

IO/UNP:CSHALLER

IO/TRC:MR. GRIP (INFO)

----- 062199

P 222201Z MAR 74

FM SECSTATE WASHDC

TO USMISSION GENEVA PRIORITY

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E.O. 11652: N/A

TAGS: ETRN UNCTAD

SUBJ: SHIPPING: CODE OF CONDUCT -- ALL STATES CLAUSE
 AND FRG POSITION

REF: GENEVA 1832

 FOR WALDMANN OR WEBB

1. IF FRG DELEGATION HAS REQUESTED US DEL TO ASSOCIATE
ITSELF WITH THE FRG STATEMENT, THE DEPARTMENT HAS NO OB-
JECTIONS. HOWEVER, ALBEIT THE FRG POSITION IS BASED ON
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"VERY TIGHT" INSTRUCTIONS FROM BONN, DEPARTMENT SUGGESTS

A NUMBER OF CHANGES.

2. IN FOOTNOTE TO TEXT TO BE FORWARDED TO PLENARY OF COMMITTEE III, (PARA 1 REFTTEL), SECOND SENTENCE SHOULD BE AMENDED TO READ AS FOLLOWS: QUOTE: IT IS THE UNDERSTANDING OF THE CONFERENCE THAT THE SECRETARY IN DISCHARGING HIS FUNCTIONS AS DEPOSITARY OF A CONVENTION OR OTHER MULTILATERAL BINDING INSTRUMENT WITH AN 'ALL-STATE' CLAUSE WILL FOLLOW THE PRACTICE OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS IN IMPLEMENTING SUCH A CLAUSE AND, WHENEVER HE CONSIDERS IT ADVISABLE, WILL REQUEST . . . UNQUOTE.

3. ADDITIONALLY, DEPARTMENT WOULD RATHER SEE FRG EXPLANATION (PARA 2 REFTTEL) MORE CLEARLY REFLECT THE ABOVE BY DE-EMPHASIZING REFERENCE TO SECGEN'S REQUEST OF OPINION TO THE UNGA BEFORE ACCEPTING AN INSTRUMENT OF SIGNATURE, ETC. DEPARTMENT WOULD RATHER SEE THIS DECISION-MAKING ROLE RETAINED FIRMLY IN THE HANDS OF THE SECGEN. IT IS NOTED THAT WHEN SIMILAR QUESTION AROSE IN IMCO MARINE POLLUTION CONFERENCE 1973, THEN IMCO SECGEN GOAD STATED THAT HE WOULD ABIDE BY "ALL-STATES" AND WOULD INTERPRET IT TO INCLUDE MEMBERS OF IMCO, THE UN OR MEMBERS OF ANY UN SPECIALIZED AGENCY.

4. IT IS SUGGESTED THAT US DEL FRANKLIN WILLIS MAY WISH TALK WITH RONALD BETTAUER AND/OR GEORGE ALDRICH OF THE LEGAL ADVISER'S OFFICE WHO ARE PRESENTLY IN GENEVA (LAW OF WAR) WHO HAD BEEN PRESENT AT UNGA DURING CONSIDERATION OF PROTECTION OF DIPLOMATS CONVENTION. KISSINGER

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
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Draft Date: 22 MAR 1974
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: morefirh
Disposition Case Number: n/a
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Disposition Date: 28 MAY 2004
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Disposition History: n/a
Disposition Reason:
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